IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN

AT JAIPUR BENCH, JAIPUR.

O R D E R

Narendra Kashyap
Vs.
Smt.Krishna Sharma and anr.

S.B. CRIMINAL REVISION PETITION NO.392/2006
under Section 397 r/w. S.401 Cr.P.C.

Date of Order:- 8/9/2006.

PRESENT
HON'BLE MR.JUSTICE HARBANS LAL

Mr. D.K. Bhardwaj for the petitioner.
Mr. G.D. Parwal for the respondents.

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BY THE COURT:-

Heard learned counsel for the parties on the application under Section 5 of the Limitation Act, 1963 for condonation of 178 days in filing the revision petition.

For the reasons mentioned in the application and the enclosed affidavit which appear to be reasonable and sufficient in the facts and circumstances of the case, the application is allowed and the delay of 178 days in filing revision petition is hereby condoned.

This revision petition under Section 397 read with Section 401 Cr.P.C. is directed against the order dated 12/7/2005 passed by the learned Judge Family Court No.1 in Cr.Misc.Case No.67/2004 whereby

on an application under Section 125 Cr.P.C. maintenance has been granted for a sum of Rs.2300/- per month.

Learned counsel for the petitioner submits that in view of Annexure-2 wherein an advertisement with regard to the beauty parlour being run by non-petitioner has been published, it is evident that she herself is earning but this document does not show that she has got sufficient means to maintain herself.

In this view of the matter, therefore, no case for interference in the impugned-order is made out.

Hence, this revision petition is hereby dismissed.

(HARBANS LAL), J.

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